

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 16th FEBRUARY 2023

PRESENT: Councillor Robert Waterton (Chair) and Councillors Anthea Ambrose, Sohan Johal, Leanne Lee, Becca Lunn Scoppie, Phil Moitt, Darshan Singh, Christiane Startin-Lorent and Marion Waterton.

Officers in attendance: Darren Tilley, Chief Executive & Town Clerk.

A member of the public observed the meeting through Zoom Video Conferencing.

60. Apologies

An apology for absence was received from Councillor Parminder Basra.

61. Disclosures of Interest

There were no disclosures of any Disclosable Pecuniary or Non-Pecuniary Interests by Members.

62. Public Participation

In accordance with Standing Order 3.6, members of the public may attend the meeting for the purpose of making representations, giving evidence or answering questions in respect of any item of business included on the agenda.

There was one member of the public observing the meeting through Zoom Video Conferencing.

63. Minutes of the Meeting held 8th December 2022

The Minutes of the Meeting held on 8th December 2022 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 8th December 2022 be approved and signed by the Chairperson as a correct record.

64. Planning and Licensing Applications dealt with under Delegated Authority

The Committee received and noted responses to planning and licensing applications taken under Delegated Authority (item 5 on the agenda).

RESOLVED that the action taken by the Chief Executive & Town Clerk under delegated authority in forwarding the following observations to Blaby District Council be noted:

Planning Applications

- 1. Application No:** 22/1148/HH
- Description:** Two storey side extension and single storey rear extension
- Location:** 1 Larch Grove Braunstone Town Leicestershire LE3 3FG (Winstanley Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to:*
- a) *confirmation that the total number of bedrooms would be three; and*
 - b) *the existing provision of on-site parking (including the garage space and access) being retained and surfaced with a hardbound permeable material, and permanently available for use.*
- Reasons:**
- a) *There were no proposed first floor plans with the application; however, it was assumed, due to size and scale, that one additional bedroom would be added.*
 - b) *To avoid additional parking on a narrow highway and on the footway close to a road junction; and to provide a suitable surface for parking while avoiding flooding and surfaced water run-off.*
- 2. Application No:** 22/1058/HH
- Description:** Single storey front and side extensions and installation of boundary fencing and gates
- Location:** 85 Turnbull Drive Braunstone Town Leicestershire LE3 2JW (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to the replacement wooden fence panels being no higher than the matching existing concrete panel.*

Reason: *The proposals were on a similar footprint to the existing attached structure & canopy and neighbouring properties had porch extensions; however, it was important to retain the visual appearance of the street scene at this corner location in terms of the replacement boundary fencing.*

3. Application No: 22/1162/FUL

Description: Installation of 2 new 4.8 x 5.5m roller shutter doors, HGV 40 concrete ramp for level access and 2 x Black Bull steel hoop guards to both sides of proposed openings.

Location: Unit B Tiber Way Meridian Business Park Braunstone Town (Thorpe Astley Ward)

Response: *Braunstone Town Council recommends that the application not be determined until the applicant submitted a statement setting out the justification for losing 7 on-site parking spaces and provided evidence that there would be no adverse impact/displaced parking onto the highway.*

Reasons: *There was insufficient on-site parking at many of the units at Meridian Business Park and significant amounts of highway parking, often obstructing the footway and views at junctions; causing highway safety concerns, particularly for pedestrians. Any additional highway parking at this location potentially would have a detrimental impact upon highway safety.*

4. Application No: 22/0827/RM

Description: Reserved matters application for the erection of Local Centre 1 to include commercial units (units 1-3 use class E(a), unit 4 use class E(a) and E(b) and unit 5 use class E(b)), medical centre (use class E(e), potential medical centre expansion or offices (use class E(e) and E(g(i))), 66 bed residential care home (use class C2) together with cash point to unit 1 and car parking (details of access, appearance, landscaping, layout and scale)

Location: Tay Road New Lubbesthorpe Enderby Leicestershire

Response: *Braunstone Town Council has the following comments, which need to be addressed, and recommends that the plans and documents be modified accordingly and re-submitted for consideration:*

- a) *the trip generation figures in the transport surveys need to be reviewed and clarified; since the number of journeys by particular modes of transport did not appear to relate to the type and scale of the proposed development;*
- b) *the proposed location of the Health Centre solely on the first floor of the commercial units presented accessibility concerns both in terms of stair and lift access for elderly and disabled users and over intensification of this area of the site;*
- c) *the design of the car park to the rear of the commercial units needed to properly facilitate deliveries and collections; the number of parking spaces would also need to be reviewed (in relation to (a) above) since the proposed provision seemed insufficient for both the commercial units and the Health Centre;*
- d) *the site and buildings should include sustainability measures such as solar PV panels, low carbon heating, rainwater storage and electric vehicle charging points;*
- e) *Cycle hoops should be included at the front of the commercial units along Tay Road and the Cycle hoops proposed for the car park should include a cycle shelter;*
- f) *the area for deliveries (currently a layby adjacent to the access road) would conflict with other users and uses of the car park and footways;*
- g) *the road junction with Tay Road needed to be redesigned given the addition to the site of the Health Facility; options could include a signal controlled junction, a second access (either to provide a one way system or separate access for deliveries), or separate access to the Care Home; and*
- h) *pedestrian walking routes and additional pedestrian crossing points needed to be included in the public car park.*

Reasons:

The Town Council was interested in ensuring the site was sustainable, usable and also accessible to local residents to avoid unnecessary vehicle journeys out of Lubbethorpe and any adverse impact on the climate and air quality.

- a) *The daily trip generation figures included a significant number of journeys by "Train" (GP Surgery 23, Care Home 2, Mixed Use 105) and "passenger in a car or van" (GP 114, Care Home 11, Mixed Use 640).*
- b) *Many patients with mobility issues would struggle to access a first floor health facility; the*

proposed access to the facility was among the rear accesses to the commercial units, where deliveries and collections would be undertaken; raising concerns about the suitability of the access both from a health & safety perspective and an accessibility perspective. An alternative could be that half the unit on both floors be reserved for the Health Centre and some of the other commercial units be located on the first floor above the grocery store.

- c) Large delivery vehicles would not be able to use the parking spaces. There was no turning area for refuse and delivery vehicles, these vehicles were expected to do a three point turn at the junction at the top of the car park, presenting safety concerns. Parking provision of 63 spaces for a grocery store, four other retail units plus a health facility accommodating 6 GPs, 4 nurses, 5 consulting rooms and potential expansion was unlikely to satisfactorily provide for employee, patient and customer parking.*
- d) To ensure the site and buildings have a low carbon impact and to mitigate the effects of climate change.*
- e) Commercial Unit customers using cycles were unlikely to travel to the rear to lock up their cycles, in practice they would lock them to street furniture at the front. However, employees at the site would need a shelter facility to lock up their cycles while at work.*
- f) The delivery layby was disconnected from the retail unit and other local centre units by the public areas and footways. The service area for the commercial units was also the front access to the Health Centre resulting in a conflict of use and users and raising health and safety concerns.*
- g) While it was understood that the junction with Tay Road had been approved as part of the wider Lubbesthorpe Transport Assessment; the services at the site had subsequently been increased as a result of planning application 22/0057/NMAT. Therefore, the design of the junction needed to be reviewed and potentially remodelled to ensure the safety of vehicles (including cyclists) entering and leaving the site, along with those on Tay Road and to ensure pedestrian safety, including safe crossing across the entrance and Tay Road.*
- h) It was unclear how pedestrians who had parked their vehicles on the northern side of the public car park would safely access the facilities on*

site, there appeared to be a lack of connecting footways and safe crossing points.

5. Application No: 22/1159/FUL

Description: Retention of partial change of use from dwellinghouse (Class C3) to Hairdressers (Class E)

Location: 87 Woodland Road Braunstone Town Leicestershire LE3 3EB (Winstanley Ward)

Response: *Braunstone Town Council does not object to the change of use of the outbuilding, subject to the following conditions:*

- a) the hours of operation being in strict accordance with those set out in the section "Hours of Opening" on the application form, strictly no operation on Sundays and Bank Holidays, and the hours of operation set out not being varied without the explicit consent of the local planning authority;*
- b) the number of people on site being limited to one worker/owner and one customer (with dependants and carers exempt) at any time, who must have prior booked;*
- c) any advertising or signage to the front of the dwelling being submitted for consideration and approval by the local planning authority;*
- d) parking for two vehicles being provided within the front curtilage of the dwelling; which should be of a hardbound permeable material;*
- e) details of the materials, chemicals and products being used and the trade waste arrangements, including storage and collection, being submitted and approved by the local planning authority; and*
- f) neighbouring properties being fully informed of the proposals.*

Reasons: *The outbuilding was an existing building on a large plot and neighbouring properties were also large plots; therefore, the impact on the amenity enjoyed by the occupants of the neighbouring residential properties was likely to be limited; however, conditions would provide a balance:*

- a) to avoid noise and comings and goings during hours when residents were more likely to be at home and/or sleeping;*
- b) to reduce noise and avoid over intensification of the use of the site, keeping the number of workers and customers to one at a time, while recognising there would be reasonable specific exceptions;*

- c) *to ensure that advertising/signage was in keeping with the visual amenity of the residential street and did not obstruct the highway (including the footway) or present any highway safety concerns;*
- d) *there was limited highway parking availability for both the dwelling and customers due to road junctions and access to neighbouring properties, additional parking could result in obstruction on the highway (including the footway); suitable alternative parking needed to be permanent and avoid surface water run off;*
- e) *to avoid any hazardous or odorous chemicals, materials or products which could be detrimental to local residential amenity; in addition, it was noted in the application that waste storage and collection was described as existing, it was unclear whether separate arrangements for business waste had already been made, or whether the applicant mistakenly believes that the domestic service could be used; and*
- f) *the proposed change was likely to bring a level of activity to the street that would be greater than at present.*

6.	Application No.	22/1192/OUT
	Description:	Outline planning application for a self-build/custom build dwelling (all matters reserved) (revised scheme to 22/0759/OUT)
	Location:	198 Braunstone Lane Braunstone Town Leicestershire LE3 3AS (Winstanley Ward).
	Response:	<p><i>Braunstone Town Council objects to the proposed application due to the following considerations:</i></p> <ul style="list-style-type: none"> <i>(a) overdevelopment of the site due to consideration of scale and mass;</i> <i>(b) out of keeping with the character and appearance of the area;</i> <i>(c) cramped living conditions and unsatisfactory layout;</i> <i>(d) insufficient amenity space for both the new and existing dwelling; and</i> <i>(e) insufficient on-site parking provision.</i>
	Reasons:	<ul style="list-style-type: none"> <i>(a) The proposed dwelling's size on a plot with little depth would result in it being built in close proximity to both 1 Shakespeare Drive and 198 Braunstone Lane resulting in cramped living conditions.</i> <i>(b) The proposed bungalow would be built on a street with semi-detached two storey character dwellings and the front of the proposed property</i>

65. Planning Applications and Licensing Applications

The Committee received details of a planning applications to be considered by Blaby District Council (item 6 on the agenda). The Committee noted that there were no licensing applications.

RESOLVED that the following responses be forwarded to Blaby District Council:

1. **Application No:** 22/1228/VAR
Description: Variation of condition 3 (age restrictions) attached to planning permission 21/0931/FUL to include children up to the age of 18 years.
Location: 132 Narborough Road South Braunstone Town Leicestershire (Ravenhurst & Fosse Ward)
Response: *Braunstone Town Council does not object to the variation of condition 3.*
Reason: *Braunstone Town Council supported the principle of accommodating children who were in care in the community, rather than in an institutional setting.*

2. **Application No:** 22/1217/HH
Description: Single storey rear extension and garage conversion
Location: 157 Kingsway Braunstone Town Leicestershire LE3 2PN (Ravenhurst & Fosse Ward)
Response: *Braunstone Town Council:*
a) *does not object to the rear single storey extension;*
and
b) *objects to the garage conversion.*
Reasons:
a) *The property was located on a large plot, there was an existing extension on a similar footprint and a slightly larger single storey rear extension was unlikely to have an adverse impact on neighbouring properties.*
b) *The property appeared to have been extended and it was assumed that the property contained at least four bedrooms. In accordance with the Local Highways Design guidance, on-site parking for at least three vehicles should be provided to avoid additional parking on a narrow highway, including the footway, or on the informal open space.*

66. Additional Planning and Licensing Applications

The Committee received details of a planning applications to be considered by Blaby District Council (item 6 on the agenda). The Committee noted that there were no licensing applications.

RESOLVED that the following responses be forwarded to Blaby District Council:

- 3. Application No:** 22/1230/HH
- Description:** Conversion of garage to habitable accommodation
- Location:** 2 Heawood Way Thorpe Astley Braunstone Town Leicestershire (Thorpe Astley Ward)
- Response:** *Braunstone Town Council does not object to the application, subject to:*
- a) *on-site parking being provided for a minimum of three vehicles;*
 - b) *the on-site parking being surfaced with a hardbound permeable material; and*
 - c) *the on-site parking being permanently available for parking.*
- Reasons:**
- a) *To avoid additional parking on the highway close to a road junction, creating safety concerns, or on the shared access, potentially causing obstruction.*
 - b) *To ensure the surface was suitable for purpose and to avoid surface water run-off.*
 - c) *To ensure the property would have sufficient on-site parking availability for its size.*
- 4. Application No:** 19/0164/OUT
- Description:** Outline application for a commercial development consisting of the erection of x4 warehouse buildings with ancillary offices and gatehouses (Use Class B8) and x1 training and education centre (Use Class D1) including associated access off Leicester Lane
- Location:** Land To The West Of St Johns (B4114) Enderby Leicestershire LE19 2AB

Response:

Braunstone Town Council recommends that any approval be subject to the following conditions:

- a) *prior to commencement of any work, a detailed construction plan must to be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, trees and water courses;*
- b) *no construction work to be undertaken on the site until the proposed new road (application 19/0179/FUL & 19/0180/RM) and junction improvements (application 19/0178/FUL) had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a "B" road set out in the Leicestershire Highway Design Guide;*
- c) *no construction work to be undertaken until the relevant statutory authority, e.g. Highways, Flood Authority, Planning Policy, Environmental Health, County Council Natural Environment Team were satisfied that the application would meet the requirements a – n set out in the Site Allocations Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019; and*
- d) *the proposed units on the site must not be operational until the improvements to the junctions on Leicester Lane and St Johns and the site road layout, as set out in the submitted plans, had been approved, constructed and completed and confirmation received from the Local Highways Authority that these met the relevant standards set out in the Leicestershire Highway Design Guide.*

Reasons:

The site had been identified as new allocation for Employment in the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019.

- a) *To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and controlled.*
- b) *To mitigate the adverse impact on the capacity of the local highway network, reduction in air quality and the impact on the amenity enjoyed by residents in the surrounding residential areas.*
- c) *To ensure that the development provided for a mix of uses, provided transport infrastructure improvements, highway improvements, included*

sustainable transport measures, protected the environment, heritage, biodiversity and landscape and addressed surface water run off mitigating potential flooding.

d) *To mitigate the adverse impact on the capacity of the local highway network and reduction in air quality.*

5. **Application No:** 22/1236/HH
- Description:** Single and 1.5 storey extension to existing bungalow (and demolition of existing conservatory)
- Location:** 26A Colbert Drive Braunstone Town Leicestershire LE3 2JB (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the application, subject to:*
- a) *on-site parking being provided for a minimum of three vehicles;*
 - b) *the on-site parking being surfaced with a hardbound permeable material; and*
 - c) *the on-site parking being permanently available for parking.*
- Reason:**
- a) *To avoid additional parking on the highway close to a road junction, creating safety concerns and/or potentially causing obstruction.*
 - b) *To ensure the surface was suitable for purpose and to avoid surface water run-off.*
 - c) *To ensure the property would have sufficient on-site parking availability for its size.*

67. **Planning Decisions**

The Committee received and noted planning decisions made by Blaby District Council (item 8 on the agenda).

RESOLVED that Councillor Anthea Ambrose contact the Planning Case Officer for more information behind the planning decision 22/1141/HH, Single storey side and rear extension (revised scheme of 22/0539/HH), at 32 Charlecote Avenue.

Reason for Decision

To understand why the side extension was approved when there appeared to be insufficient alternative on-site parking.

68. **Feedback on Planning Application Decisions**

The Committee received feedback concerning accessing Planning Officer Delegated Decisions (item 9a on the agenda). The Chief Executive & Town Clerk reported that Blaby District Council had confirmed that the Planning

Officer Delegated Decisions were not published on the District Council's website and that specific Planning Officer Delegated Decisions would be made available on request.

69. Members' Highway Fund

The Committee received an update on progress with initiatives to be funded by the Members' Highway Funds:

- a) Braunstone Town – Installation on three planters at two Gateways (item 10a on the Agenda); and
- b) Thorpe Astley (item 10b on the Agenda).

RESOLVED that County Councillors be asked to submit a list of projects approved under the Members' Highways Fund for Braunstone Town and Thorpe Astley.

Reason for Decision

To confirm the small scale highways and environmental improvements projects which had been approved for Braunstone Town and Thorpe Astley.

70. Air Quality Monitoring Annual Status Report 2022 – Response to Questions

The Committee received the response from Blaby District Council to the queries raised by the Committee in respect of the Air Quality Monitoring Annual Status Report 2022 (item 11 on the agenda).

RESOLVED that the following response be sent to Blaby District Council:

- a) in respect of parking around Lubbesthorpe School; as offered, please refer to the Planning Enforcement Team and Leicestershire County Council on-street parking enforcement;
- b) an Air Quality Grants project working with Fosse Park on promoting sustainable transport would be welcome and supported by Braunstone Town Council;
- c) request behaviour change work with schools in Braunstone Town and businesses on Meridian Business Park, particularly, Royal Mail, be considered;
- d) would it be possible to look at the Internal Communications resource?
- e) Suggest that the colour coding of the NO₂ levels follow those recommended by the World Health Organisation;
- f) request that Withers Way was monitored again.

Reasons for Decision

- a) *To ensure that there was compliance in respect of parking outside a school.*
- b) *To improve air quality and encourage sustainable travel.*
- c) *To support local engagement with the community, organisations and schools.*
- d) *To understand the Council's work in this area and assist where possible.*
- e) *To report based on scientific evidence of safe and unsafe levels of NO₂.*

- f) *The traffic build up in the area at rush hour was significant compared to prior to and during Covid-19 and therefore monitoring would identify if the pollution levels were significant.*

71. Braunstone Village Conservation Area Extension

The Committee received an update on the timescales and process to consider whether to extend the Braunstone Village Conservation Area to the South of Braunstone Lane.

The Chief Executive & Town Clerk advised that Blaby District Council were awaiting a detailed project proposal and costings from Leicester City Council for overseeing the review. The aim was to ensure that the proposed conservation area extension would be integrated into the City Council's review of the existing Conservation Area. It was noted that Leicester City Council had delayed the review of the existing Braunstone Village Conservation Area and revised timescales were awaited.

In the meantime, Blaby District Council were exploring whether they had capacity to review the draft Character Appraisal for the Conservation Area extension from a planning policy perspective, with a view to avoiding any delays once the City Council commenced its review.

RESOLVED

1. that the update be received and noted; and
2. that progress be reviewed at the next scheduled meeting of the Committee and if there was no further progress, the Committee determine its next steps.

Reasons for Decision

1. *To note that consideration of the proposals would be as an extension to the existing Braunstone Village Conservation Area.*
2. *To ensure that the proposals would be progressed and not unduly delayed.*

72. Lubbesthorpe Impacts Group

The Committee received an update on progress concerning matters relating to the Lubbesthorpe development and received feedback on the recent meeting of the Lubbesthorpe Impacts Group, which had been held on 13th January 2023.

Councillor Robert Waterton updated the Committee on the following matters in respect of the Lubbesthorpe development:

- a) on 18th December 2022 there were 861 occupations; average increase per month was 26; the total for phase 1 is 1265;
- b) as a result of the pace of occupations trigger points still had to be met for many of the proposed Section 106 improvements;
- c) the Chair would be writing to County Councillors to ask them to be actively involved in pursuing the Section 106 highways improvements in their Division and when they were likely to be scheduled; and

- d) responses had been submitted by the surrounding parishes to the Local Centre 1 proposals, with concerns expressed by the Town Council about the proposed Health Centre/GP Surgery being located upstairs above the shops.

RESOLVED that the update be received and noted.

Reason for Decision

To receive details of current and ongoing matters discussed relating to the new Lubbethorpe development and its impact.

73. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2022 to 31st December 2022 (item 14 on the agenda).

RESOLVED that the report be noted.

Reason for Decision

There were no issues of concern with the income and expenditure against the budget for 2022/2023.

74. Approval of Accounts

The Committee received payments from 30th November 2022 until 7th February 2023 (item 15 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 30th November 2022 until 7th February 2022 be approved.

Reason for Decision

To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations.

75. Houses in Multiple Occupation

RESOLVED that in view of the special / confidential nature of the business to be transacted, the press/public be excluded and they be instructed to withdraw (Standing Orders 3.5 and 3.7 apply). *Reason for exception – Personal Information and Information provided in confidence.*

The Committee received an update on known and potential Houses in Multiple Occupation in Braunstone Town and Thorpe Astley (item 16 on the agenda).

RESOLVED

1. that the report be noted;
2. that Blaby District Council be asked to review the HMO Public Register with a view to integrating Licensing Approvals and Planning Approvals into the

- total number of households and persons shown in the table, where the number was more than six persons; and
3. that a report be submitted to the meeting of the Committee, scheduled for February 2024, providing an update on known and potential Houses in Multiple Occupation in Braunstone Town and Thorpe Astley and setting out feedback and any issues which had been identified.

Reasons for Decisions

1. *To monitor the growth in Houses in Multiple Occupation in order to protect amenity and ensure provision was in the most appropriate location and to an appropriate standard.*
2. *While it was understood that the License process was separate to the planning process; where there was Licensing approval for seven or more persons but no planning approval, the average person would be misled by the Register into thinking the property had approval to accommodate more than six people.*
3. *To monitor the expansion of Houses in Multiple Occupation, to ensure that such properties were properly regulated and to ensure that communities were not adversely affected.*

The meeting closed at 9.10pm.

NOTE:
 CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime & Disorder implications of all its activities and to do all that it can to prevent Crime and Disorder in its area.
 EQUALITIES ACT 2010
 Braunstone Town Council has a duty in carrying out its functions to have due regard to:-

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and;
- foster good relations between different groups

To ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.
 These issues were considered in connection with each of the above decisions. Unless otherwise stated under each item of this report, there were no implications.

These minutes are a draft and are subject to consideration for approval at the next meeting scheduled on 20th April 2023.

SIGNED:

DATED: